

EXHIBIT 9

1 UNITED STATES DISTRICT COURT

2 WESTERN DISTRICT OF NEW YORK

3 -----
4 **BLACK LOVE RESISTS IN THE RUST, ET AL.,**
5 **INDIVIDUALLY AND ON BEHALF OF A CLASS OF**
6 **ALL OTHERS SIMILARLY SITUATED,**

7 Plaintiffs,

8 -vs-

1:18-cv-00719-CCR

9 **CITY OF BUFFALO, N.Y., ET AL.,**

10 Defendants.
11 -----

12 **CONTINUED EXAMINATION BEFORE TRIAL**

13 **OF BYRON LOCKWOOD**

14 **APPEARING REMOTELY FROM**

15 **BUFFALO, NEW YORK**

16
17 August 17, 2023

18 At 1:00 p.m.

19 Pursuant to notice

20
21 REPORTED BY:

22 Rebecca L. DiBello, RPR, CSR(NY)

23 APPEARING REMOTELY FROM ERIE COUNTY, NEW YORK

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 Q. Okay. So this will be Lockwood 32. I hope
2 it's the correct number. And you're looking
3 at a copy of the article and you were actually
4 interviewed for this article. Do you remember
5 that?

6 A. No.

7 Q. And did you read the article when it came out?

8 A. I'm not sure. I don't remember this article.

9 Q. Okay. Well, in this article you -- let me see
10 if I can find the part where you said it.

11 Here we are. Do you see this right
12 here?

13 A. Yes.

14 Q. Okay. So you told the reporter that tinted
15 windows were a safety issue.

16 What is the safety issue that's involved
17 with tinted windows?

18 MR. SAHASRABUDHE: Object to the form.

19 A. Some windows are so dark you can't see, you
20 can't see the person that's in the vehicle.

21 Q. So are you saying it's a safety issue for the
22 officer?

23 A. Yes.

1 Q. According to DMV data that was cited in this
2 article, very few accidents are caused by
3 tinted windows as opposed to distracted
4 driving and speeding. Do you have any basis
5 to believe that the DMV data cited in the
6 article is incorrect?

7 MR. SAHASRABUDHE: Objection to form.

8 A. No.

9 Q. So then being concerned with tinted windows is
10 a potential safety issue for the officer
11 should the officer pull over the vehicle?

12 MR. SAHASRABUDHE: Objection to form.

13 A. Yes.

14 Q. According to the article, the City of Buffalo
15 wrote far more tinted windows tickets than
16 other comparable municipalities. So for
17 example, from 2014 to 2017 Buffalo issued more
18 than 34,000 tinted windows violations whereas
19 Syracuse issued around 6,000 and Rochester
20 issued just less than 3,000.

21 Did you know prior to this article that
22 Buffalo issued far more tinted windows tickets
23 than other comparable municipalities?

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544

1 STATE OF NEW YORK)

2 COUNTY OF ERIE)

3
4 I, Rebecca Lynne DiBello, CSR, RPR, Notary
5 Public, in and for the County of Erie, State of
6 New York, do hereby certify:

7 That the witness whose testimony appears
8 hereinbefore was, before the commencement of
9 their testimony, duly sworn to testify the
10 truth, the whole truth and nothing but the
11 truth; that said testimony was taken pursuant
12 to notice at the time and place as herein set
forth; that said testimony was taken down by me
and thereafter transcribed into typewriting,
and I hereby certify the foregoing testimony is
a full, true and correct transcription of my
shorthand notes so taken.

13 I further certify that I am neither counsel
14 for nor related to any party to said action,
15 nor in anyway interested in the outcome
thereof.

16 IN WITNESS WHEREOF, I have hereunto
17 subscribed my name and affixed my seal this
18 31st day of August, 2023.

19 

20 -----
21 Rebecca Lynne DiBello, CSR, RPR
22 Notary Public - State of New York
23 No. 01D14897420
Qualified in Erie County
My commission expires 5/11/2027

DEPAOLO CROSBY REPORTING SERVICES, INC.

135 Delaware Avenue, Suite 301, Buffalo, New York 14202
716-853-5544